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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/932,103

**Applicant(s)**

DEVARA ET AL.

**Examiner**

FARZANA E. HOSSAIN

**Art Unit**

2623

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CI)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to claims filed 12/10/2007. Claims 1, 8, 15, 20 and 23 are amended. Claims 2-7, 9-14, 16-19, 21 and 22 are original. Claim 24 has been previously presented.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Regarding Claims 1, 8, 15, 20, 23, the applicant argues that Zigmond and Harrison do not disclose "processing retrieved enhanced features without user intervention to generate feature descriptors and formatting the feature descriptors according to predetermined criteria to generate a content list." (Pages 12-13).

In response to the applicant's argument, Zigmond discloses processing the retrieved enhanced features. Zigmond is silent on the content list. Shoff discloses retrieving a number of enhanced features from the sources of synchronized web simulcasts (Page 2, paragraph 0019), processing retrieved enhanced features without user intervention to generate feature descriptors (Pages 5-6, paragraph 0066-0067, Page 3, paragraphs 0036-0039, Figure 3), formatting the feature descriptors according to predetermined criteria to generate a content list (Page 4, paragraphs 0042-0047).

Furthermore, there is no clear definition of feature descriptors other than information. The broadest reasonable interpretation of feature descriptors can simply be Content1 or a description of the content (Figure 3 – Shoff).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7-13, 15, 16, 18-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond et al (US 6,571,392 and hereafter referred to as "Zigmond") in view of Shoff et al (US 2005/0015815 and hereafter referred to as "Shoff").

Regarding Claims 1, 15 and 20, Zigmond discloses a method and system for managing television programs and their synchronized web simulcasts (Figure 2, Figure 3, Figure 4), the method comprising the steps of and the system comprising:

(a) a detection means, coupled to receive incoming television programs viewed by a user, for detecting incoming television signals from a plurality of sources for tag information identifying the source of the synchronized web simulcasts or a video program with uniform resource locators (URLs) which identify Web pages which correspond to the program as receiver unit detects the resource identifiers as it receives

the program via the interface unit and the decoding software of the digital processor (Figure 3, Figure 4, 303, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(b) a communications means for establishing a communication channel to the source of the synchronized web simulcasts (Figure 2, 211);

(c) a control means retrieving a number of enhanced features from the source of the synchronized web simulcasts (Figure 3, Figure 4, 303, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(d) a storage means for storing the retrieved enhanced features in a storage medium for subsequent retrieval (Figure 3, Figure 4, 304, Column 6, lines 25-36, Column 7, lines 18-31, 55-67), the control means coupled to the storage means the detection means and communications means, and a display means coupled to the controlling means for displaying the incoming television programs and one of the retrieved enhanced features selected interactively by the user (Figure 4, 312, 303, Column 7, lines 47-54). Zigmond discloses a memory for storing computer readable code or software (Column 5, lines 60-67, Column 6, lines 1-3) and a processor (Figure 4, 303) operatively coupled to the memory (Figure 4) the processor configured to perform the steps of the method disclosed above. Zigmond discloses identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-36, Column 7, lines 18-31, 55-67), processing retrieved enhanced features (Column 10, lines 33-57). Zigmond is silent on processing the retrieved enhanced features without user intervention to generate feature descriptors formatting the processed, retrieved enhanced features to predetermined criteria to generate a content list.

Shoff discloses retrieving a number of enhanced features from the sources of synchronized web simulcasts (Page 2, paragraph 0019), processing retrieved enhanced features without user intervention to generate feature descriptors or the viewing computing unit uses the EPG application and the browser application to processes the target resource and target specification without user intervention to generate feature descriptors for the supplemental content (Pages 5-6, paragraph 0066-0067, Page 3, paragraphs 0036-0039, Figure 3), formatting the feature descriptors according to predetermined criteria or display layout to generate a content list (Page 4, paragraphs 0042-0047). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zigmond to process retrieved enhanced features without user intervention to generate feature descriptors (Pages 5-6, paragraph 0066-0067, Page 3, paragraphs 0036-0039), formatting the feature descriptors according to predetermined criteria to generate a content list (Page 4, paragraphs 0042-0047 ) as taught by Shoff in order to allow the viewer the supplemental content with the program in a presentation format decided by content providers (Page 1, paragraph 0013) as disclosed by Shoff for an aesthetically pleasing viewing experience.

Regarding Claim 8, Zigmond discloses a method for managing television programs and their synchronized web simulcasts (Figure 2, Figure 3, Figure 4) and a method for presenting simulcast information, the method comprising executing operations on at least one user local data processing device (Figure 2, Figure 3, Figure 4) the method comprising the steps of and the operations comprising: (a) receiving a

plurality of television programs or audio-visual information and their synchronized web simulcasts (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(b) detecting incoming television signals or plurality of television programs for tag information identifying the respective sources of the synchronized web simulcasts or one website simulcasting supplemental information relating to the audio-visual information or a video program with embedded uniform resource locators (URLs) with associated time stamps which identify Web pages which correspond to the program (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c) determining whether the detected tag information indicates that the synchronized web simulcasts are being broadcast currently (Figure 2, 205, Figure 3, Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67); and,

(c)(1)(i) if yes, establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67); (c)(1)(ii) downloading and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer (Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67);

(c)(2)(i) if no (prior to the need of display of such information), establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c)(2)(ii) downloading a number of enhanced features from the source of the synchronized web simulcasts for storage in a memory medium for subsequent retrieval;

(Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67). Zigmond discloses identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-36, Column 7, lines 18-31, 55-67) and processing retrieved enhanced features (Column 10, lines 33-57). Zigmond is silent on formatting the processed, retrieved enhanced features to predetermined criteria to generate a content list.

Shoff discloses retrieving a number of enhanced features from the sources of synchronized web simulcasts (Page 2, paragraph 0019), processing retrieved enhanced features without user intervention to generate feature descriptors or the viewing computing unit uses the EPG application and the browser application to processes the target resource and target specification without user intervention to generate feature descriptors for the supplemental content (Pages 5-6, paragraph 0066-0067, Page 3, paragraphs 0036-0039, Figure 3), formatting the feature descriptors according to predetermined criteria or display layout to generate a content list (Page 4, paragraphs 0042-0047). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zigmond to process retrieved enhanced features without user intervention to generate feature descriptors (Pages 5-6, paragraph 0066-0067, Page 3, paragraphs 0036-0039, Figure 3), formatting the feature descriptors according to predetermined criteria to generate a content list (Page 4, paragraphs 0042-0047) as taught by Shoff in order to allow the viewer the supplemental content with the program in a presentation format decided by content providers (Page 1, paragraph 0013) as disclosed by Shoff for an aesthetically pleasing viewing experience.



Regarding Claim 23, Zigmond discloses a method for managing television programs and their synchronized web simulcasts (Figure 2, Figure 3, Figure 4) and a method for presenting simulcast information, the method comprising executing operations on at least one user local data processing device (Figure 2, Figure 3, Figure 4) the method comprising the steps of and the operations comprising: (a) receiving a plurality of television programs or audio-visual information and their synchronized web simulcasts (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(b) detecting incoming television signals or plurality of television programs for tag information identifying the respective sources of the synchronized web simulcasts or one website simulcasting supplemental information relating to the audio-visual information or a video program with embedded uniform resource locators (URLs) with associated time stamps which identify Web pages which correspond to the program (Figure 2, 205, Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c) determining whether the detected tag information indicates that the synchronized web simulcasts are being broadcast currently (Figure 2, 205, Figure 3, Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67); and,

(c)(1)(i) if yes, establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67); (c)(1)(ii) downloading and displaying a number of enhanced features from the source of the synchronized web simulcasts to a viewer (Column 6, lines 25-36, 60-67, Column 7, lines 18-31, 55-67);

(c)(2)(i) if no (prior to the need of display of such information), establishing a channel connection to the source of the synchronized web simulcasts indicated by the tag information (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67);

(c)(2)(ii) downloading a number of enhanced features from the source of the synchronized web simulcasts for storage in a memory medium for subsequent retrieval; (Figure 3, Column 6, lines 25-36, Column 7, lines 18-31, 55-67). Zigmond discloses identifying the retrieved enhanced features based on URLs or URIs (Column 6, lines 25-36, Column 7, lines 18-31, 55-67) and processing retrieved enhanced features (Column 10, lines 33-57). Zigmond is silent on formatting the processed, retrieved enhanced features to predetermined criteria to generate a content list, the simultaneously presenting the audiovisual information synchronized together with at least part of the supplemental information, responsive to the choice.

Shoff discloses retrieving supplemental information (Page 2, paragraph 0019), processing retrieved supplemental information without user intervention to generate feature descriptors or the viewing computing unit uses the EPG application and the browser application to processes the target resource and target specification without user intervention to generate feature descriptors for the supplemental content (Pages 5-6, paragraph 0066-0067, Page 3, paragraphs 0036-0039, Figure 3), formatting the feature descriptors for the supplemental information according to predetermined criteria or display layout to generate a content list (Page 4, paragraphs 0042-0047), displaying the content list associated with the audio visual information (Figure 3); receiving a choice indication responsive to the content list (Figure 3) and simultaneously presenting

the audio visual information synchronized together with at least part of the supplemental information, response to the choice (Figure 6, Figure 7). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Zigmond to process retrieved enhanced features without user intervention to generate feature descriptors (Pages 5-6, paragraph 0066-0067, Page 3, paragraphs 0036-0039, Figure 3), formatting the feature descriptors according to predetermined criteria to generate a content list (Page 4, paragraphs 0042-0047); displaying the content list associated with the audio visual information (Figure 3); receiving a choice indication responsive to the content list (Figure 3) and simultaneously presenting the audio visual information synchronized together with at least part of the supplemental information, response to the choice (Figure 6, Figure 7) as taught by Shoff in order to allow the viewer the supplemental content with the program in a presentation format decided by content providers (Page 1, paragraph 0013) as disclosed by Shoff for an aesthetically pleasing viewing experience.

Regarding Claims 2 and 9, Zigmond and Shoff disclose all the limitations of Claims 1 and 8 respectively. Shoff discloses presenting the content list to a viewer (Figure 3).

Regarding Claims 3, 13, 19 and 21, Zigmond and Shoff disclose all the limitations of Claims 1, 8, 15 and 20 respectively. Shoff discloses the content listing includes information of the enhanced feature description, source, starting time, ending time and a combination thereof (Page 6, paragraph 0067).

Regarding Claims 4 and 10, Zigmond and Shoff disclose all the limitations of Claims 1 and 8 respectively. Zigmond discloses selecting enhanced features tied to a TV program by a viewer (Column 7, lines 47-54). Shoff discloses selecting enhanced features via the feature descriptors tied to a TV program by a viewer (Figure 3, Figures 8a-8c).

Regarding Claims 5 and 11, Zigmond and Shoff disclose all the limitations of Claims 4 and 8 respectively. Zigmond discloses displaying one of the enhanced features selected by the user with the corresponding TV program that is synchronized to the selected enhanced feature (Column 7, lines 47-54). Shoff discloses displaying one of the enhanced features selected by the user with the corresponding TV program that is synchronized to the selected enhanced feature (Page 6, paragraph 0067, Figures 8a-8c).

Regarding Claim 7, Zigmond and Shoff disclose all the limitations of Claim 1. Zigmond discloses the source includes Internet (Figure 2). Shoff discloses the sources include television network, Internet, wired network or wireless technologies (Page 3, paragraphs 0032, 0037).

Regarding Claim 12, Zigmond and Shoff disclose all the limitations of Claim 8. Zigmond discloses displaying is performed interactively in response to the viewer's input (Column 7, lines 47-54). Shoff discloses displaying is performed interactively in response to the viewer's input (Figures 8a-8c, Figure 3).

Regarding Claims 16 and 18, Zigmond and Shoff disclose all the limitations of Claims 11 and 15 respectively. Shoff discloses creating the enhanced features in advance (Page 7, paragraphs 0080-83).

5. Claims 6, 14, 17, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zigmond in view of Shoff as applied to Claims 1, 8, 11, 15, 20 and 23, further in view of Ullman et al (US 6,018,768 and hereafter referred to as "Ullman").

Regarding Claims 6, 14, 17 and 22, Zigmond and Shoff disclose all the limitations of Claims 1, 8, 15 and 20 respectively. Zigmond and Shoff are silent on predetermined criteria defines the number of enhanced features associated with the source of the synchronized web simulcasts. Ullman discloses the predetermined criteria defines the number of enhanced features associated with the source of the synchronized web simulcasts or the URLs represent web sites and URLs are transmitted to the user and the number of the URLs of a source is based on the number of URLs sent to the user (Column 7, lines 12-29, 57-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include predetermined criteria defines the number of enhanced features associated with the source of the synchronized web simulcasts or the URLs represent web sites and URLs are transmitted to the user and the number of the URLs of a source is based on the number of URLs sent to the user (Column 7, lines 12-29, 57-62) as taught by Ullman in order to personalize the system to the user's own

interests, demographics, history or behavior (Column 7, lines 12-29) as disclosed by Ullman.

Regarding Claim 24, Zigmond and Shoff disclose all the limitations of Claim 23. Zigmond and Shoff are silent on the audio-visual information and tags are received in the MPEG format. Ullman disclose the audio-visual information and tag are received in the MPEG format (Column 9, lines 59-67, Column 10, lines 1-3). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to the audio-visual information and tag are received in the MPEG format (Column 9, lines 59-67, Column 10, lines 1-3) as taught by Ullman in order to allow different broadcasters to transmit files via any transmission means for a more flexible transmission system (Column 4, lines 49-53) as disclosed by Ullman.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARZANA E. HOSSAIN whose telephone number is (571)272-5943. The examiner can normally be reached on Monday to Friday 7:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris Kelley/

Art Unit: 2623

Supervisory Patent Examiner, Art  
Unit 2623

FEH

February 29, 2008